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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 12, 2001

APPLICATION OF

SOUTHERN ENERGY POTOMAC RIVER, LLC

CASE NO. PUE000547

For a certificate of public  
convenience and necessity:  
Potomac River Station

ORDER ISSUING CERTIFICATES OF PUBLIC  
CONVENIENCE AND NECESSITY

On September 25, 2000, Potomac Electric Power Company ("PEPCO") and Mirant Potomac River, LLC, formerly Southern Energy Potomac River, LLC ("Mirant Potomac River"),<sup>1</sup> filed their Joint Application of Potomac Electric Power Company and Southern Energy Potomac River, LLC ("Joint Application"). As required by the Utility Transfers Act, §§ 56-88 through 56-91 of the Code of Virginia, PEPCO petitioned for authority from the Commission to sell the generating units and related facilities at its Potomac River Station, Alexandria, Virginia, and to lease the land upon which the facilities are located. Mirant Potomac River sought authorization to purchase the assets and lease the land. In conjunction with the transfer, PEPCO applied, pursuant to the Utility Facilities Act, §§ 56-265.1 through 56-265.9 of the Code

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<sup>1</sup> The change in name was filed and accepted by the Clerk of the Commission on February 7, 2001.

of Virginia, to amend its certificate of public convenience and necessity to reflect the sale of the generating facilities.

Mirant Potomac River applied for a certificate of public convenience and necessity authorizing the acquisition and operation of the generating facilities.

By Order Granting Application and Petition of November 30, 2000, the Commission granted the requested authority. On February 2, 2001, PEPCO and Mirant Potomac River filed a report of the transaction approved by the Commission's order of November 30, 2000. According to the report, the closing took place on December 19, 2000. Upon consideration of the report, the Commission finds that the appropriate certificates of public convenience and necessity should be issued.

Accordingly, IT IS ORDERED THAT:

(1) Pursuant to the Utility Facilities Act, §§ 56-265.1 through 56-265.9 of the Code of Virginia, PEPCO is issued the following certificate of public convenience and necessity:

Certificate No. ET-1b which authorizes Potomac Electric Power Company under the Utility Facilities Act to operate presently constructed transmission lines and facilities in the City of Alexandria and the County of Arlington, all as shown on the detailed maps designated Sheets 2 and 3 and attached to the Arlington/Fairfax County map and as authorized in Case No. PUE000547; Certificate No. ET-1b will cancel Certificate No. ET-1a issued to Potomac Electric Power Company October 2, 1987.

(2) The Commission's Division of Energy Regulation will send a copy of the certificate issued in (1) with maps attached to Gail D. Jaspen, Esquire, Reed Smith Hazel & Thomas LLP, 901 East Byrd Street, Suite 1700, Richmond, Virginia 23219-4069.

(3) Pursuant to the Utility Facilities Act, §§ 56-265.1 through 56-265.9 of the Code of Virginia, Mirant Potomac River is issued the following certificate of public convenience and necessity authorizing the acquisition and operation of the facilities identified in Attachments A and B of Order Granting Application and Petition of November 30, 2000 entered in Case Nos. PUE000547 and PUA000078:

Certificate No. ET-160 which authorizes Mirant Potomac River, LLC under the Utility Facilities Act to operate presently constructed generation facilities in the City of Alexandria and the County of Arlington, all as shown on the detailed map designated as Sheet 1 of 1 and attached to the Arlington/Fairfax County map and as authorized in Case No. PUE000547.

(4) The Commission's Division of Energy Regulation will send a copy of the certificate issued in (3) with maps attached to Louis R. Monacell, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095.

(5) This case is dismissed from the Commission's docket.